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12 *Attorneys for Defendants*  
13 *Las Vegas Metropolitan Police Department,*  
14 *Vanessa Mitchell, and Don'te Mitchell*

15 **UNITED STATES DISTRICT COURT**

16 **DISTRICT OF NEVADA**

17 MARY SMITH, individually, and as Special  
18 Administrator of the Estate of JAMES  
19 PEREA,

20 Plaintiffs,  
21 vs.

22 LAS VEGAS METROPOLITAN POLICE  
23 DEPARTMENT; WELLPATH, LLC; RN  
24 RACHEL CLARK; RN TANJA  
WASIELEWSKI; RN GENEVA BESSIE;  
LCSW SANDRA CELIS; MA/LNA  
MELEKA ST. JOHN. RN STEPHANIE  
ESTALA; NP HUGH ANDREW ROSSET;  
NP SHELLEY AMEDURI; PA ANDREA  
BALOGH; RN AYNUR KABOTA;  
CORRECTIONS OFFICER VENESSA  
MITCHELL; CORRECTIONS OFFICER  
DON'TE MITCHELL; CORRECTIONS  
OFFICER JOSHUA WALDMAN; DOES 1-  
30,

25 Defendants.

26 Case No.: 2:23-cv-00092-JAD-NJK

27 **STIPULATION AND ORDER TO  
28 EXTEND TIME TO FILE A  
29 RESPONSE TO PLAINTIFFS'  
30 OBJECTION**

31 **[ECF No. 101]**  
*First Request*

32 Pursuant to LR 6-1, Mary Smith, individually and as Special Administrator of the Estate  
33 of James Perea (“Plaintiffs”), Las Vegas Metropolitan Police Department, Vanessa Mitchell and

1 Don'te Mitchell ("LVMPD Defendants"), and Wellpath, LLC, Rachel Clark, Tanja Wasielewski,  
2 Geneva Bessie, Sandra Celis, Meleka St. John, Stephanie Estala, Hugh Andrew Rosset, Shelley  
3 Ameduri, and Andrea Balogh ("Wellpath Defendants") through their respective Counsel,  
4 stipulate, agree, and request that this Court extend the deadline for the Defendants to file a  
5 Response regarding Plaintiffs' Objection, (ECF No. 101), from the current date of August 26,  
6 2024, for an additional 4 days, to **Friday, August 30, 2024**.

7       1. On May 10, 2024, Plaintiffs filed a Motion to Amend, (ECF No. 80), seeking  
8 leave to file a Second Amended Complaint adding a new defendant.

9       2. On July 29, 2024, Magistrate Judge Nancy J. Koppe entered a Report and  
10 Recommendation, (ECF No. 99), for the Court to deny Plaintiffs' Motion to Amend, (ECF No.  
11 80).

12       3. On August 12, 2024, Plaintiffs filed an Objection, (ECF No. 101), to the Report  
13 and Recommendation.

14       4. Defendants' deadline to file a Response to the Objection is Monday, August 26,  
15 2024.

16       5. Federal Rule of Civil Procedure 6(b) and Local Rule IA 6-1 impose a good cause  
17 standard to extend the deadline file a Response. "'Good cause' is a non-rigorous standard that  
18 has been construed broadly across procedural and statutory contexts." *Ahanchian v. Xenon*  
19 *Pictures, Inc.*, 624 F.3d 1253, 1259 (9th Cir. 2010).

20       6. Good cause exists to extend the deadline for Defendants to file a Response to the  
21 Objection by 4 days—to Friday, **August 30, 2024**—in light of Defendants' need for additional  
22 time to complete briefing. The current deadline to file the Response arises around the same time  
23 of the deadline to file dispositive motions in this case (August 23, 2024), as well as ongoing  
24

///

<sup>1</sup> deadlines for other matters apart from this case.

7. An extension of time will ensure that the Court has appropriate briefing before making a ruling.

DATED this 22nd day of August, 2024.

DATED this 22nd day of August, 2024.

By: /s/ Lyssa S. Anderson

Lyssa S. Anderson (SBN 5781)

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## *Attorneys for LVMPD Defendants*

By: /s/ Peter Goldstein

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DATED this 22nd day of August, 2024.

/s/ Robert D. Rourke

S. Brent Vogel (SBN 6858)

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*Attorneys for Wellpath Defendants*

**IT IS SO ORDERED.**

DATED this 23rd day of August, 2024.

  
UNITED STATES DISTRICT COURT JUDGE

<sup>1</sup> On August 21, 2024, the parties agreed to a Stipulation that would extend the deadline to file dispositive motions by 30 days. The parties will be submitting a Stipulation for the Court's consideration.